

IDAHO REAL ESTATE APPRAISER BOARD
Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 4/21/2017

BOARD MEMBERS PRESENT: Paul J Morgan - Chair
H Scott Calhoun
Brad Janoush
Eric J Brinton

BOARD MEMBERS ABSENT: Douglas D Vollmer

BUREAU STAFF: Tana Cory, Bureau Chief
Dawn Hall, Administrative Support Manager
Lori Peel, Investigative Unit Manager
Maurie Ellsworth, General Counsel
Mitchell Toryanski, Legal Counsel
Joan Callahan, Prosecuting Attorney
Roger Hales, Naylor and Hales
Deborah Sexton, Management Assistant
Dicsie Gullick, Management Assistant
Peggy Lindley, Technical Records Specialist 1

OTHERS PRESENT: Ann Beebe, Special Assistant for Boards and
Commissions
Vicki Metcalf, ASC – Policy Manager
Neal Fenochietti, ASC – Policy Manager
Gideon Tolman, Division of Finance
Management
Todd Myers
Ken Johnson, CRA
Ambrea Hicks

The meeting was called to order at 8:30 AM MDT by Paul J Morgan.

APPROVAL OF MINUTES

Mr. Janoush made a motion to approve the minutes of 2/6/2017. It was seconded by Mr. Calhoun. Motion carried.

LEGISLATIVE REPORT

Mr. Toryanski gave the legislative report. He said that the proposed laws and rules passed. The proposed rules went into effect in March and the proposed law will become effective as of July 1, 2017. The deadline to submit proposed law changes to the Governor's Office is August 1 and the deadline to submit proposed rule changes to the Governor's Office is the third week in August for the 2018 Legislative Session.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$316,789.07 as of 3/31/2017.

DISCIPLINE

Ms. Callahan presented a Stipulation and Consent Order in case REA-2017-1. Mr. Janoush made a motion to approve the Consent Order and allow the Board Chair to sign on behalf of the Board. It was seconded by Mr. Calhoun. Motion carried.

INVESTIGATIVE REPORT

Ms. Peel gave the investigative report, which is linked above.

FOR BOARD DETERMINATION

Mr. Janoush made a motion to approve the Bureau's recommendation and authorize closure in cases I-REA-2017-11 and I-REA-2017-21. It was seconded by Mr. Calhoun. Motion carried.

The Board reviewed the probation log.

The Board reviewed a payment proposal in regard to REA-2015-4. Mr. Calhoun made a motion to approve the payment arrangement. It was seconded by Mr. Janoush. Motion carried.

The Board reviewed correspondence from Maria Trujillo in regard to case number REA-2016-5. Mr. Janoush made a motion to amend the final order to state the Board will not pursue costs at this time. It was seconded by Mr. Brinton. Motion carried.

OLD BUSINESS

To Do List – The Board reviewed the to do list and no action was taken.

Mr. Hales discussed proposed language in regard to the definition of appraisal and opine to value and said a letter had been sent to the Appraisal

Subcommittee (ASC) for review. Ms. Metcalf responded that the ASC had reviewed Mr. Hales' letter and had no comment as it does not impact Title XI. Ms. Metcalf noted however that the definition should apply to anyone performing reviews in Idaho whether they are from an AMC or in general. Mr. Hales discussed the pass through fee (registry fee) that is based upon regulations that are being adopted by ASC. Due to the freeze on regulations at the Federal level there is no federal regulation to allow the fees to be collected. The Board discussed updating the rule that was in effect prior to the regulations to be flexible enough to say, any additional fees, once required by the subcommittee, are in addition to the \$1200.

Ms. Beebe extended her appreciation from the Governor's Office to Mr. Calhoun in regard to his hard work in getting the Appraisal Management Companies laws and rules passed. Ms. Beebe presented Mr. Calhoun with the pen the Governor used to sign the Bill.

The Board discussed an analytics presentation that was tentatively scheduled for June. After discussion with state purchasing officials and their attorneys, the Board concluded that it cannot sponsor or participate in sponsoring the presentation. The Board requested Mr. Ellsworth draft a letter noting the above information and expressing the Board's appreciation and thanks for the offer. The Board also suggested he may be able to arrange a non-government sponsor in Idaho.

NEW BUSINESS

AMC

The Board discussed the implementation of Appraisal Management Companies (AMC). The Board requested Mr. Hales work with Mr. Calhoun and Bureau staff to draft an application for the Board to review.

PROPOSED RULES AND LAWS

Mr. Toryanski said there were two proposed rules that have been identified for the 2018 session. One was to adopt the 2018-2019 USPAP edition, which is required by federal law. The other issue is in regard to collecting the federal registry fee for AMCs. The deadline to submit proposed law changes to the Governor's Office is August 1 and the deadline to submit proposed rule changes to the Governor's Office is the third week in August for the 2018 Legislative Session.

In response to the 2017 Legislative items, Mr. Janoush made a motion to have Mr. Toryanski work with Mr. Calhoun to draft a postcard and send it out to current licensees and registered trainees. It was seconded by Mr. Brinton. Motion carried.

AARO

Mr. Brinton gave an update from the Association of Appraiser Regulatory Officials (AARO) conference he attended.

APPRAISAL SUBCOMMITTEE REVIEW UPDATE

Ms. Metcalf introduced herself as well as Mr. Fenochietti as policy managers for the Appraisal Subcommittee (ASC). She explained the role of the ASC and presented each Board member with the ASC's 2015 Annual Report and the January 1, 2015 Real Property Appraisal Qualification Criteria. Ms. Metcalf explained the current policy statements. She thanked the Board members for their willingness to serve as Board members and explained the compliance review process. She explained that a review is to ensure that a state is compliant with Title XI and meets the minimum requirements outlined in the Real Property Appraisal Qualification Criteria. She went over the following findings with the Board:

Statutes, Regulations, Policies, and Procedures: No compliance issues noted

Temporary Practice: No compliance issues noted

National Registry: No compliance issues noted

Application Process: No compliance issues noted

Reciprocity: No compliance issues noted

Education: No compliance issues noted

Enforcement: No compliance issues noted

Ms. Metcalf congratulated the Board and staff for the work that's been done since the last review. A preliminary review showed that Idaho would be submitted to receive an "excellent" rating.

WEBSITE

Ms. Hall discussed updating the Board's webpage. Mr. Janoush made a motion to request staff work with Mr. Calhoun to update the webpage with information regarding AMCs. It was seconded by Mr. Brinton. Motion carried.

CE COURSES

ASFMRA	UNIFORM APPRAISAL STANDARDS FOR FEDERAL LAND ACQUISITIONS
ASFMRA	AGWARE BACK TO BASICS
ASFMRA	VALUATION OF CONSERVATION EASEMENTS AND OTHER PARTIAL INTERESTS VALUATION
APPRAISAL INSTITUTE	2017 ANNUAL CONFERENCE SESSIONS DAY 1
APPRAISAL INSTITUTE	2017 ANNUAL CONFERENCE SESSIONS DAY 2

APPRAISAL INSTITUTE 2017 ANNUAL CONFERENCE SESSIONS DAY 3
APPRAISAL INSTITUTE UNIFORM APPRAISAL STANDARDS FOR
FEDERAL LAND ACQUISITIONS
THE COLUMBIA INSTITUTE CONSTRUCTING THE PROFESSIONAL
REPORT, FROM A-Z
THE COLUMBIA INSTITUTE RED FLAGS IN PROPERTY INSPECTION
THE COLUMBIA INSTITUTE COMPREHENSIVE SQUARE FOOT
CALCULATIONS
THE COLUMBIA INSTITUTE SHADES OF GREEN – RESIDENTIAL
APPRAISAL
CALYPSO CONTINUING EDUCATION APPRAISING ENERGY EFFICIENT
RESIDENTIAL PROPERTIES
ASFRMA- Idaho/Utah CHAPTER A WATER RIGHTS SURVIVAL COURSE FOR
REAL ESTATE APPRAISERS

EXECUTIVE SESSION

Mr. Janoush made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Mr. Calhoun. The vote was: Mr. Janoush, aye; Mr. Calhoun, aye; Mr. Brinton, aye; and Mr. Morgan, aye. Motion carried.

Mr. Calhoun made a motion to come out of executive session. It was seconded by Mr. Brinton. The vote was: Mr. Janoush, aye; Mr. Calhoun, aye; Mr. Brinton, aye; and Mr. Morgan, aye. Motion carried.

APPLICATIONS

Mr. Calhoun made a motion to approve the following applicants for exam pending completion of the review of properties.

901080711
901137543

It was seconded by Mr. Brinton. Motion carried.

Mr. Brinton made a motion to approve the following:

MCCABE JOSEPH MICHAEL	RT– 4339
HICKS AMBREA JULEEN	LRA-4306
MARSHALL KURT STEVEN	LRA-4345
COELHO GILBERT G	CRA-4346

It was seconded by Mr. Janoush. Motion carried.

NEXT MEETING was scheduled for June 12, 2017 at 8:30 AM. Conference calls were scheduled for May 5, and June 30 at 8:30 AM.

ADJOURNMENT

Mr. Janoush made a motion to adjourn the meeting at 1:15 PM. It was seconded by Mr. Brinton. Motion carried.